

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19748 of 2017

Arising Out of PS.Case No. -112 Year- 2015 Thana -MAHILA PS District- JAMUI

=====

SUBHASH YADAV @ BRAJ KISHOR PRASAD

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Smt. Indu Bala Pandey, A.P.P.

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 22-06-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in jail since 14.02.2017 in a case registered for offences punishable under Sections 323, 341, 498(A), 307/34 of Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The prosecution case as lodged by the informant is that her husband used to beat her for dowry and has also solemnized second marriage after beating and turning her out from his house.

It has been submitted by the learned counsel for the petitioner that no case under Section 307 of the I.P.C. is made out against the petitioner and regarding second marriage, no case under Section 498 (A) of the Indian Penal Code is made out. He further submits that charge sheet has already been



submitted, hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the informant was subjected to torture and the petitioner has solemnized second marriage, which has been supported by many witnesses in the case diary.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage.

The bail application of the petitioner is hereby rejected.

(Nilu Agrawal, J)

Sudha/-

U		T	
---	--	---	--

